



October 3, 2007

Ms. Diana Messina
Senior Water Quality Control Engineer
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

**SUBJECT: Tentative Order Waste Discharge Requirements
City of Davis Wastewater Treatment Plant**

Dear Ms. Messina:

The City of Davis ("City") appreciates the opportunity to comment on the revisions to the *Tentative Waste Discharge Requirements (NPDES Permit No. CA0079049) for the City of Davis Wastewater Treatment Plant*, as issued on August 31, 2007 ("August TO"). Overall, the City appreciates and supports the revisions that the Regional Water Quality Control Board ("Regional Water Board") staff has proposed in the August TO. In particular, the City supports an eight-year compliance schedule as compared to the other schedule options that were also noticed. The City also supports the proposed revisions to the permit regarding dioxins, manganese, metals, and other changes pertaining to effluent limitations. Finally, the City requests some further changes to provide clarification to permit and monitoring and reporting plan provisions. Our specific comments are provided below.

Compliance Schedules

The City originally requested a ten-year compliance schedule if tertiary treatment is required because the City expected to first replace its secondary treatment system and then pilot tertiary filtration process(es) after the secondary improvements were in operation for proper sizing and optimization of the tertiary process. At the time, the City believed it possible to maintain the existing overland flow system to address selenium removal prior to the addition of a conventional tertiary treatment system. However, after several months of careful evaluation and preliminary design, City staff has concluded that it is not economically feasible to maintain the overland flow system. The cost impacts to all treatment processes associated with operating a tertiary filtration system downstream of the overland flow process would be exorbitant as compared to the environmental benefit to be gained for minimal

selenium removal. Thus, the City staff finds itself in the unfortunate position of presenting to the Regional Water Board and the City a project in excess of \$150 million that does not address selenium and may in fact exacerbate the City's ability to comply with final effluent limits for selenium.

In the alternative, the City staff is further assessing water supply optimization and land reclamation projects to address selenium. The City may also explore other regulatory alternatives with regard to the application of selenium criteria to the Yolo Bypass.

Based on this decision and the need to define a project that can be completed in the allotted ten years, City staff has determined that an eight-year compliance schedule is as short as practicable to replace the City's existing secondary treatment system and build a new tertiary treatment facility. The City's eight-year compliance schedule anticipates the secondary and tertiary treatment design and construction processes proceeding in parallel, as separate contracts. The design and construction times get extended slightly under this scenario to account for the additional conflict resolution and coordination required for the two contracts proceeding in parallel, as well as to ensure that air emissions are met during construction of two projects at the same time. However, environmental clearance as well as other new project information cannot be fully accounted for in the proposed compliance schedule. For this schedule, the City anticipates compliance for all constituents, with the possible exception of selenium, at the same time and anticipates being able to complete this project within eight years of permit adoption. Thus, an eight-year compliance schedule is as short as practicable. In fact, the City's design engineers state that although doable, the eight-year schedule is very aggressive and does not allow for delay in a project of this size or complexity.

The August TO has been revised to partially reflect the City staff's preferred schedule for a project that consists of secondary and tertiary treatment design and construction running in parallel under two separate contracts. As proposed, the TO includes a compliance date of September 1, 2015, which is approximately eight years from when the City submitted its revised infeasibility analysis and anticipated permit adoption. In actuality, the City's projected compliance schedule was intended to be eight years from the date of permit adoption contingent upon uninterrupted design and construction contracts. Until the Regional Water Board takes final action, we are hesitant to move forward with planning beyond its current efforts. There is always the possibility that the Regional Water Board will adopt a different compliance schedule for which the City will need to try and reflect in project planning and scheduling. Thus, we request an eight-year compliance schedule that begins to run on the date of permit adoption. Assuming that the August TO is adopted at the October hearing, this will require some minor modifications to the currently proposed permit language. Our language modifications are provided below with the other language suggestions.